

# Official Minutes for Webb County Commissioners Court Meeting

Monday, January 23, 2006 at 1:00 PM  
and continuing Tuesday, January 24, 2006 at 1:00 PM

(Approved 02-13-2006 with corrections in bold and parenthesis)

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez-Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20<sup>th</sup> of January 2006. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3      Pledge of Allegiance – Led by all

- Item No. 4      Approval of bills, payroll and monthly reports

Ms. Delia Perales, County Treasurer, presented her monthly report ending December 2005.

Cmr. Gutierrez motioned to accept the Treasurer's Monthly Report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5      Communications

Judge Bruni requested a moment of silence in memory of Alice 'Bebe' Chamberlain Gallagher who passed away January 16<sup>th</sup>.

A moment of silence was observed.

Judge Bruni stated for the record that security measures for government buildings are necessary but must be reasonable. He stated that he felt that the mandatory sign in log being used by Court Security was too restrictive since it required the visitor to state the reason for their visit as well as the time of arrival and departure.

He stated that when he first came into office, his intention was to implement a voluntary sign in sheet without the need for the visitor to state whom or for what reason they were there.

Cmr. Gutierrez acknowledged and congratulated the Headstart Fatherhood Involvement Committee for their participation in the Menudo Bowl. She stated that they won 2<sup>nd</sup> place in the Open Division and 3<sup>rd</sup> place in the People's Choice.

Ms. Sara Perez, Headstart Policy Council Secretary, thanked the court for their continued support of the Headstart program and its many committees.

Mr. Francisco Casarez, Headstart parent, stated that he was very happy to participate in this committee and at the Menudo Bowl. He stated that he has received a lot of support and a better understanding of family values and the importance of parental involvement.

Mr. Luis Cuellar, Headstart parent, stated that he was very happy to be a Headstart parent and that even though it is usually the mothers who participate in Headstart activities, it was good to prove that the fathers help out too.

Ms. Aliza Oliveros, Headstart Director, thanked the court for their continued assistance and support of the Headstart program.

Cmr. Gutierrez thanked Ms. Oliveros for her leadership skills and thanked the parents for their continued involvement in the program. She also advised the court that there was an item on the City Council's agenda to approve the \$1.7 million dollar contract for the construction of water and sewer lines to colonias on HWY 359. She stated that the Water Development Board has established a concrete deadline for this project.

Cmr. Cortez-Brunner wished a Happy Birthday to Ms. Graciela 'Gracie' Leija, a concilio participant who did not wish to disclose her age.

#### Item No. 6      Public Comment

Mr. Carlos 'C.Y.' Benavides, III, was present to address Item No. 20 and Addendum Item No. 1. He stated that he was awed at the court's decision to sell the property known as the Old Detention Center. He stated that the property has potential due to the growth and development in the area. He also stated for the record that he and prior owners of the Camino Colombia Toll Road no longer retain any ownership to the property and that they did nothing but contribute to the community. He stated that this was a political vendetta brought about by his opponents.

#### Item No. 7      Discussion and possible action to direct staff to entertain discussion/negotiations with the City of Laredo regarding a possible lease of Casa Blanca property owned or controlled by Webb County for use as a water park; with instructions to report back to the court at the next meeting regarding any progress on the same; and, any other matters incident thereto.

Judge Bruni stated that it was important to have additional sources of recreation for the youth and families of Webb County.

Mr. Juan Ramirez, City Councilman, stated that he began pursuing this project when he was first elected City Councilman. He stated that this will not only bring additional jobs and tax revenue to the city and Webb County, but it will improve the quality of life for the residents of Webb County and serve as a tourist attraction.

Judge Bruni requested to have staff negotiate with Councilman Ramirez and negotiate the terms for a possible agreement.

Comr. Gutierrez motioned to have staff negotiate with Councilman Ramirez and negotiate the terms for a possible agreement. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 8      Status report on the secondary water source/water well at the Carrizo Wilcox aquifer**

Mr. Tomas Rodriguez, County Engineer, stated that the proposed schedule has been received and submitted to the court.

**Item No. 9      Discussion and possible action to `authorize the purchasing agent to purchase three patrol vehicles (sedan/cruisers) in the total amount of \$74,613.45 from Phil- Pitt Motors for Constable Rudy Rodriguez, Precinct 1, and any other matters incident thereto (funding source: acct. 682-0103-8801; bond series 2001).**

Comr. Sciaraffa motioned to approve item as submitted. Comr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 10      Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to Advertise for bids for the proposed Rio Bravo Recreational Center (South Activity Center) to be constructed in the vicinity of the Rio Bravo Community Park.**

Mr. Sepulveda, project architect, stated that this project will be similar to other recreation centers in Webb County. He stated that the project has a \$350,000 budget and is ready to go out for bids for the construction of the project.

Comr. Sciaraffa thanked the court for their continued support of this and similar projects. Comr. Gutierrez congratulated Comr. Sciaraffa on this project. She stated that all of these recreation centers help keep kids busy and off the streets. She stated that it will be put to good use by the residents of Rio Bravo and Webb County. Comr. Sciaraffa stated that he is working on starting a library at the Community Center in El Cenizo.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 11 Discussion and possible action to approve the following applicants recommended by the Webb County Housing Rehab Scoring Committee.

- |                     |                       |
|---------------------|-----------------------|
| 1. Mr. Jesús Tejeda | 2. Mr. Oscar Martínez |
| Rt. 2 Box 305       | 122 España            |
| Enlace St.          | Colonia San Carlos    |
| Colonia Los Altos   | Laredo, Texas         |
| Laredo, Texas       |                       |

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 12 Discussion and possible action to appoint Mr. Marcus Moreno to the Webb County Community Action Agency Board.

Comr. Gutierrez motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 13 Discussion and possible action to support the participation of Laredo Community College in the program called "The North American Advanced Manufacturing Research and Education Initiative" [under acronym of "NAAMREI"]; and support the proposal to the U.S. Department of Labor under such initiative for funding through a program call "The Workforce Innovation in Regional Economic Development (WIRED) Program" [under acronym of "WIRED"]; and to the extend that federal funding be available, and to provide matching funds up to \$150,000 to Laredo Community College. [Co-sponsored by Commissioner Frank Sciaraffa]

Comr. Garza stated that this program would allow LCC to expand the economic development for Laredo and Webb County. He stated that LCC cannot do this alone and has already received support from the city. Mr. Ramon H. Dovalina, LCC President, stated that L.C.C.'s main objective is to give the people of the community the skills necessary to move forward and advance economically. Mr. Castaneda stated that the court has the opportunity to work with the city and LCC on this proposal. He stated that if the grant is awarded, it would allow LCC to implement a minor manufacturing program.

Comr. Garza motioned to approve item as submitted. Comr. Gutierrez seconded the motion.

Mr. Homero Ramirez, County Attorney, advised the court that as per Mr. Leo Flores, County Auditor, the monies for this project have not been set aside in the budget. Cmr. Garza stated that this item was contingent on the grant being approved. Cmr. Gutierrez requested that a letter of commitment be included with the application. Mr. Castaneda stated that once the grant is approved, the county will be given some leeway time to submit the monies.

Motion carried 5-0 by unanimous consent.

**Item No. 14      Proclamation proclaiming January 2006 as "National Mentoring Month"**

Cmr. Garza stated that he will be mentoring students tomorrow along with other officials. He stated that January is National Mentoring Month and stated that this was very important for students to get a sense of what is out there. County Court at Law No. 1 Judge Ben Morales stated that he fully supported the program and would be mentoring students tomorrow. Mr. Mark Gonzalez, District Attorney's Office, and Mr. Ronnie Castro, L.I.S.D., stated that their offices also support this program. Cmr. Gutierrez congratulated those present for the effort being put forth on this project.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 15      Update on timetable for the initiation of construction for the Father McNaboe Spray Park project.**

Mr. Carlos Villarreal, Executive Administrator, stated that the resources and monies for this project have been allocated. He stated that bids are scheduled to be opened in February and construction should begin soon afterward. He stated that the construction should be completed by this summer.

**Item No. 16      Update on La Ladrillera Distribution Center, setting date for dedication of facility and any matters incident thereto.**

Mr. Eloy Ramirez, Purchasing Agent, stated that the placement of the modular building at this site has been completed and all necessary sideways have been installed. He stated that the units have sewer and water lines and the facility will be ready for the opening. Cmr. Cortez-Brunner stated that this was a necessary project since many of the elderly who received groceries from this distribution center had to stand in line outside in all types of weather. She stated that the dedication ceremony will be held on January 28<sup>th</sup> at 10:30 AM.

**Item No. 17      Status of Water and Sewer Improvements at Colonia Los Corralitos at Pico Road in Northwest Webb County**

Mr. Tomas Rodriguez, County Engineer, presented his reports to the Court. He stated that the project is going as planned.

Item No. 18      Discussion and possible action to approve the following applicant being recommended by the Webb County Housing Rehab Scoring Committee.

Mr. & Mrs. Xavier & Rosalba Perez  
RRT. 22 Box 300-27  
Colonia Penitas West  
Laredo, Texas

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (2:28 PM to 3:09 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

Item No. 19      Status report by tax collection lawyers, Cavazos, Morales, Tijerina & Montemayor, L.L.P. regarding Ca. No. 2002-TXAO2499 D1; Webb County vs. K-mart Corp., and bankruptcy issues regarding the same with discussion and possible action to authorize said attorneys to take advisable action in furtherance of Webb's interests attendant to the same, and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) (Pending/anticipated Litigation).]

Mr. Homero Ramirez, County Attorney, stated that he had advised the court regarding the status of this item. He recommended acceptance of a settlement in the amount of \$4,682. Cmr. Gutierrez stated for the record that this was for personal taxes, not ad valorem. Mrs. Maria Elena Morales, Delinquent Tax Attorney, stated that the county's previous delinquent tax attorneys failed to file a notice on these bankruptcy proceeding.

Cmr. Gutierrez motioned to accept the settlement of \$4,682 from K-Mart Corp. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 20      Status report by tax collection attorneys, Cavazos, Morales, Tijerina & Montemayor, L.L.P. regarding Ca. No. 2004 TXA446-D1, Webb County v. Camino Columbia, Inc.; the result on the hearing on the same

allegedly had on Wednesday, January 18, 2005; and, any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) (Pending/anticipated Litigation).]

Mr. Homero Ramirez, County Attorney, stated that the trial date has been set for February 21<sup>st</sup> and requested that the court allow the tax collection attorneys to follow any necessary steps in this matter. Judge Bruni stated that he did not want any negotiations or settlements in this case and stated that he was going to court to fight for the children of Webb County. Mr. Javier Montemayor, tax collection attorney, stated that the case would be heard in the 49<sup>th</sup> District Court. Cmr. Gutierrez stated that the court should not negotiate a settlement. She stated that every month, a lot of taxpayers lose their homes due to delinquency. She stated that they lose their homes not because they don't want to pay their taxes but because they do not have the resources to pay them. She stated that Mr. C.Y. Benavides, III and the other former owners of the Camino Colombia have the monies to pay these delinquent taxes but don't want to. Judge Bruni advised the delinquent tax attorneys to amend the petition to include Mr. Benavides and any other former owners of the Camino Colombia toll road to the lawsuit.

Cmr. Gutierrez motioned to amend the petition to include all former owners of Camino Colombia, Inc. in this lawsuit. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### MEDIA BREAK (3:15 PM to 3:42 PM)

Cmr. Gutierrez motioned to move up Addendum Item No. 1. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

#### EXECUTIVE SESSION (3:44 PM to 4:35 PM)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

#### Addendum Item No. 1

Consultation with the County Attorney regarding the status of Bid No. 2006-10, Sale of 294.24 acres situated in Webb County, State of Texas, in Porcion 23, 24 and 25 being located in the northeast section of Webb County and east of the Bob Bullock Loop and north of Highway 59, approximately 4.1 miles east on the San Ignacio road and known as the "Old Detention Center". [Executive Session is requested

pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property)]

Mr. Homero Ramirez, County Attorney, stated that this item was for status only and no action was required.

Cmr. Gutierrez advised the court that she would have to leave at 4:55 PM. She stated that she is being inducted into the Women's Hall of Fame.

- Item No. 21      Discussion and possible action to approve the submission of grant application to the Office of Justice Programs U.S. Department of Justice for a FY 2006 Competitive Gang Resistance Education and Training (G.R.E.A.T.) Program up to \$100,000 for component(s) to include implementing a G.R.E.A.T. Middle School component (and one other component). This grant has a ten (10%) percent in-kind match requirement.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22      Discussion and possible action to approve the submission of a grant application to the Texas Parks & Wildlife Department by the Webb County Sheriff's Department Police Activities League (P.A.L.) and its Sheriff's Outdoor Youth Posse for a Community Outdoor-Outreach Program (CO-OP) in the amount of \$30,000 for outdoor recreational opportunities for the disadvantaged, at-risk children of Webb County. This grant includes grant (non-cash) match in the form of volunteer and in-kind resources of \$10,000.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23      Discussion and possible action for acceptance or rejection of a November 18, 2004 bill of \$1,680.00 for ribbons for a defunct printer based solely on a telephone request by the prior administration without purchase order.

Mr. J.J. Gonzalez, Sheriff's Department, stated that this was an old invoice for ribbons that were purchased without a purchase order. He stated that they were ordered one month before the end of the last administration for a defunct printer. He stated that the company will not accept these ribbons as a return but will waive the \$388.00 late fee. He stated that this is considered an operational expense and



will be paid from the department's materials and supplies account. Mr. Rafael Perez, Chief Deputy Auditor, stated that forfeiture funds are to be used at the discretion of the Sheriff but that they cannot be used for operational expenses.

Cmr. Gutierrez motioned to approve item for payment. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 24      Discussion and possible action on the structural decline of the Webb County Sheriff's Administration Building located at 902 Victoria St., Laredo, TX.**

Mr. Louie Zapata, Sheriff's Department, presented pictures to the court showing the structural decline of the building. He stated that chunks of concrete are falling off the building and are posing a safety hazard. Mr. Carlos Villarreal, Executive Administrator, stated that the building was purchased approximately 10 years ago. He requested the court's authorization to bring in a structural engineer to prepare a report on the building's status.

Judge Bruni motioned to accept Mr. Villarreal's recommendation and bring in a structural engineer to prepare a report. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

**Item No. 25      Discussion and possible action to assign the old records management warehouse to the exclusive availability of the Webb County Sheriff's Department to be used for law enforcement operations, office and storage space.**

Judge Bruni stated that the building was already designated for the use of the Building and Maintenance Department in February 2004. He stated that the court cannot take action on this item since this issue has already been acted on. Mr. Louie Zapata, Sheriff's Department, stated that he spoke with Cmr. Sciaraffa, Cmr. Gutierrez and Cmr. Garza regarding this issue. He stated that they are in dire need of this space to be used when processing evidence. He stated that they currently do this at the Sheriff's Administration Building but that it was not a secure location. Cmr. Gutierrez stated that both requests are very important and both had their merits. She stated that the court needed to look into the building's structure since security problems may arise. She stated that the Building Maintenance department has their offices and workshop right next to this building and would be ideal for their use. Mr. Raul Elizondo, Building Maintenance Director, stated that the building is basically a warehouse and doesn't feel that it would be secure enough for what the Sheriff wants it for. Major Doyle Holdridge stated that their concern was the current storage facility was open to both law enforcement and civilian employees. He stated that this increases the risk of evidence being stolen or becoming missing. He stated that the Records Management building would be a secure facility to process evidence. Mr. Elizondo stated that his staff is currently using a one car garage as a workshop. He stated that due to the lack of space, they have to use different equipment such as saws, sanders within 2-3 feet of each other and have even

resorted to using the saws on truck beds. He stated that their current workshop also has a lack of ventilation when used for painting or varnishing furniture. He stated that if his department is allotted this space, it will free up some additional space in their current building that could be used by the Road and Bridge department. Cmr. Gutierrez stated that there would need to be some sort of compromise.

Cmr. Gutierrez motioned to have Mr. Tomas Rodriguez, County Engineer, Mr. Raul Casso, Chief of Staff and Mr. Carlos Villarreal, Court Administrator meet and discuss the needs of these two departments and make a recommendation to the court. Judge Bruni seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez left the meeting **(due to a prior commitment at City Hall.)**  
(5:03 PM)

- Item No. 26      Discussion and possible action to accept a check in the amount of \$2,500.00 from TXU Energy Retail Company. Webb County Community Action Agency will utilize these funds to help families that are in financial distress to meet energy related costs essential to their health and welfare.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 27      Discussion and possible action to enter an order of the Commissioners Court to prohibit outdoor burning in the unincorporated areas of the County for a period not to exceed ninety days pursuant to §352.081 of the Local Government Code and any matters incident thereto.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 28      Discussion and possible action to enter into an inter-local agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) for the Webb County Community Action Agency's Elderly Nutrition Program for fiscal Year 2005-2006 (October 1, 2005-September 30, 2006) to provide meals for the elderly and authorizing the County Judge to execute all relevant documents.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 29      Discussion and possible action to enter into an inter-local agreement with the City of Laredo to accept funding in the amount of SEVEN THOUSAND ONE HUNDRED AND TWENTY-FIVE DOLLARS (\$7,125.00) for the Webb County Community Action Meals on Wheels Program for fiscal Year 2005-2006 (October 1, 2005- September 30, 2006) to provide approximately 200 eligible individuals within the City of Laredo and authorizing the County Judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 30      Discussion and possible action to submit El Aguila Grant Application Part II to the Texas Department of Transportation for the second installment of a grant for El Aguila rural mass transportation in a total amount not to exceed TWO HUNDRED SEVENTY THOUSAND NINE HUNDRED EIGHTEEN DOLLARS (\$270,918.00) and authorizing the County Judge to sign all relevant documents. [Requested by CAA/El Aguila Transportation, Account No. 980-4205 (El Aguila Rural Transportation)]

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 31      Discussion and possible action to enter into a one (1) year (December 31, 2005 thru January 1, 2007) agreement with South Texas Workforce Development Board to provide internet access at the Self Help Center for an annual amount of TWO THOUSAND DOLLARS (\$2000.00) and authorizing the County Judge to sign all relevant documents. [Requested by Self Center; Account No. (Center is not a budget item)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 32      Discussion and possible action to enter into a one (1) year Investment Advisor Services Agreement with Estrada Hinojosa & Company, Inc., at the agreed upon fees outlined under Appendix "A" of the agreement, and authorizing the Webb County Judge to execute all relevant documents.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, requested that this item be tabled.

Cmr. Garza motioned to withdraw his motion and table the item. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 33      Discussion and possible action to enter into an Equipment Lease Agreement with Toshiba Financial Systems and Office Communications Systems, Inc. for two (2) Lanier LD055 Copiers to be located at Head Start for a thirty-six month period (January 23, 2006 through January 22, 2009) in the amount of FIVE HUNDRED FIFTY-SIX DOLLARS AND NO CENTS (\$556.00) per month and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Acct. No. 903-4208-6014 (Equipment Rental)].

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 34      Discussion and possible action to enter into an Equipment Lease Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES-450 Copier to be located at Treasurer's Office for a thirty-six month period (January 23, 2006 through January 22, 2009) in the amount of TWO HUNDRED AND FOURTEEN DOLLARS AND NO CENTS (\$214.00) per month and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Acct. No. 001-0300-6402 (Equipment Rental)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Mr. Homero Ramirez, County Attorney, stated that the account number and item should state that this item is for the Treasurer's Department, not the Headstart Department.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 35      Discussion and possible action to enter into an Equipment Lease Agreement with Toshiba Financial Services and Office Communications Systems, Inc. for one (1) Toshiba ES-210 Copier to be located at Veteran's Service Office for a thirty-six month period (January 23,

2006 through January 22, 2009) in the amount of NINETY-TWO DOLLARS AND THIRTY-NINE CENTS (\$92.39.00) per month and authorizing the County Judge to sign all relevant documents. [Requested by Veteran's Service Acct. No. 001-5050-6402 (Equipment Rental)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 36 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES 450 Digital Copier for the Treasurer's Office for a three (3) year period (January 23, 2006 through January 22, 2009) with copy overages invoiced at \$0.0080 per print copy and authorizing the County Judge to sign all relevant documents. [Requested by Treasurer, Account No. 001-0300-6402 (Repairs and Maintenance)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 37 Discussion and possible action to enter into an Equipment Maintenance Agreement with Office Communications Systems, Inc. for one (1) Toshiba ES 210 Digital Copier for the Veteran's Service Office for a thirty-six (36) month period (January 23, 2006 through January 22, 2009) with service charges invoiced at \$0.0103 per print copy and authorizing the County Judge to sign all relevant documents. [Requested by Veteran's Service Office, Account No. 001-5050-6402 (Lease and Maintenance)]

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 38 Discussion and possible action to accept 4 rights of way, out of Los Altos Subdivision, 2 rights-of-way out of Tanquecitos I Subdivision, 3 rights-of-way out of San Carlos I Subdivision, 3 rights-of-way out of San Carlos II Subdivision, one (1) right-of-way out of Ranchitos Los Centenarios Subdivision and one (1) right-of-way out of Ranchitos Los Nopalitos Subdivision, and authorizing the County Judge to sign all relevant documents.

Comr. Garza motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 39      Discussion and possible action to enter into Third Party Funding Agreements as Follow:  
General Fund  
Laredo Little Theater                      \$4,200.00  
and authorizing the County Judge to execute all relevant documents.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 40      Discussion and possible action to authorize the Washington's Birthday Celebration Association the use of County property on Highway 59, known as the CLEAR shooting range, on Sunday, February 19, 2006, for the purpose of a fireworks display and authorizing the County Judge to execute all relevant documents.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 41      Discussion and possible action to enter into an Inter-local Government Agreement with the City of Laredo to form a Mutual Aid Law Enforcement Task Force during the 2006 Washington's Birthday Celebration Festivities (January 26 through February 19, 2006) to allow the Sheriff's Department and Laredo Police Department to Mutually Assist each other in traffic and crowd control and authorizing the County Judge to execute all relevant documents.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 42      Discussion and possible action to enter into an inter-local agreement with the City of Laredo as Administrator for the Regional Planning Commission for a eighteen month period beginning September 1, 2005 to February 28, 2007 for the provision of 9-1-1 service and public safety answering point equipment and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 43      Discussion and possible action to ratify the concurrently recorded agreement of the Webb County Clerk and Justices of the Peace transferring the duties imposed by law upon a Justice of the Peace relating to the maintenance of birth and death records of a precinct, to the Webb County Clerk.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Cmr. Sciaraffa motioned to move up Item No. 62 and No. 63. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 62      Discussion and possible action for the Commissioners Court to approve request from the Tax Assessor-Collector's Office, Dept. 0700:  
Refund due as follows:

Best Buy Stores, LP, Attn: Tax Department

P.O. Box 9312, Minneapolis, MN 55440-9312

Acct. # 801-02001-020

Reason: Protest 2005-9269; Clerical Error 25.25c Adjust Personal Property Value for 2005

Total Refund: \$3,197.95

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 63      Discussion and possible action for the Commissioners Court to approve request from the Tax Assessor-Collector's Office, Dept. 0700:  
Refund due as follows:

Citi Mortgage Service Center, Attn: C Pulley – Ref. # C1547

P.O. Box 23689

Acct. # 900-90221-219

Reason: Paid in Error by Mortgage Co.

Total Refund: \$4,315.07

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 44      Discussion and possible action to submit a Budget Amendment to HUD, Neighborhood Initiative Program in order to adjust line items and insure the expenditure of all grant funds.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 45      Discussion and possible action to authorize the Purchasing Agent to Request for Proposals for design/ built of the Nutrition / Health Learning Center located in the Self-Help Center complex.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 46      Discussion and possible action to authorize the Purchasing Agent to Solicit Request for Proposals for Architectural Services to prepare floor plans and assessments for eligible applicants under the Home, Major Reconstruction Program.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 47      Discussion and possible action to accept the Webb County VISTA Volunteer Program's third-year re-funding from the Corporation For National Service – Americorps Vista Program in the amount of \$250,777.00 (Two Hundred Fifty Thousand Seven Hundred Seventy-Seven) for one year to start on January 01, 2006 and to end on December 31, 2006.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 48      Discussion and possible action to accept a grant award from the Texas Task Force on Indigent Defense in the amount of \$120,076 (One Hundred Twenty Thousand Seventy-Six) for period October 01, 2005 thru September 30, 2006.

Cmr. Garza motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.



Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 49      Discussion and possible action on approving a resolution identifying Webb County's Potential Recreational Project priorities developed by the Webb County Recreational Plan Update Committee for the required 2005 revision of the existing 200-2010 Webb County Recreational Plan.

Cmr. Cortez-Brunner motioned to table Item No. 49. Cmr. Sciaraffa seconded the motion.

Mr. Juan Vargas, Economic Development Director, requested that this item be deferred to the next meeting so that the members of the court can have an opportunity to include their projects.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 50      Discussion and possible action on a resolution to submit a grant application to the Office of Justice Programs Office on Violence Against Women Safe Havens : Supervised Visitation and Safe Exchange Grant Program in the amount of \$350,000.00, with a County in-kind match of \$10,000.00 in administrative functions; to designate the Children's Advocacy Center of Laredo/Webb County as the subcontractor in the execution and administration of the Webb County Safe Havens Program; and to designate County Judge Louis H. Bruni as the County's authorized official.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 51      Discussion and Possible Action Authorizing the Utilities Department to fill Vacant Position, Slot # 1538, Plant Operator I at \$10.08 per hour.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 52      Discussion and Possible Action Authorizing Change Order No. 5 to Satterfield & Pontikes Construction, Inc., for adding automating equipment to the 2.4 million gallon per day Water Treatment Plant in the amount of \$79,871.88 and adding 59 days to the contract. This is subject to the approval of the Texas Water Development Board.

Cmr. Garza motioned to approve item as submitted. Motion died for lack of a second.

Mr. Tomas Rodriguez, County Engineer, stated that this project is behind schedule due to some changes that needed to be made by the project engineers. He stated that the plant was to be completed by October 15<sup>th</sup> but now expects completion by February 15<sup>th</sup>. Mr. Carlos Villarreal, Executive Administrator, stated that the county should not be held liable for any delays that are not the fault of Webb County. Judge Bruni requested a list of all contractors and engineers that are currently working on county projects and the number of additional days and additional monies requested by each.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 53      Discussion and possible action to modify slot # 998 from full-time CDA Teacher II (40 hrs/wk for 11 months) with an annual salary of \$20,875.44 to full-time AA Teacher (40 hrs. /wk for 10 months) with an annual salary of \$22,558.08 to become effective January 24, 2006.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 54      Discussion and possible action authorizing the Planning Department staff to initiate and prepare all applicable documents, takings impact assessment and publications necessary for Webb County to adopt state imposed revisions to the model subdivision rules pursuant to the provisions of Sections 16.343 and 16.350 of the Texas Water Code; said revisions are the result of the Texas Water Development Board's re-adoption of the model subdivision rules and subsequent re-numbering of the Texas Administrative Code. These rules must be adopted at the local level for continued eligibility for state and federal funding of colonia improvements.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 55      Discussion and possible action to fill slot #1725 (Assistant Public Defender) at a yearly salary of \$53,775.

Cmr. Cortez-Brunner motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 56      Discussion and possible action to approve the payment to Carrillo & Associates, INC. in the amount of \$9,435.00 for the Geotechnical Testing for the TXDOT BORDER ACCESS COLONIAS PROJECT-EL CENIZO PAVING PROJECT PHASE. [Account #671-8001-6022-8]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 57      Discussion and possible action to approve/reject the following proposal:  
P-2006-09 "Proposals for Engineering Services for Lake Casa Blanca Dam Repairs"

Mr. Eloy Ramirez, Purchasing Agent, advised the court that three proposals were received and reviewed by the Purchasing Committee. He stated that the committee recommended Carter-Burgess out of Austin as the recommended bidder. He stated that the committee made this decision based on different categories. He stated that once the bidder is chosen, contract negotiations begin.

Judge Bruni motioned to award the bid to Foster Engineering out of Laredo. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-1 with Cmr. Sciaraffa voting against.

Mr. Carlos Villarreal, Executive Administrator, stated that Carter-Burgess has done a lot of work on the Casa Blanca Lake project as well as on the aquifer with the City of Laredo. He stated that they have done a lot of preliminary work to be able to respond to the state as soon as possible. He stated that choosing another company at this point would cause some delays. Mr. Ramirez stated that as per the proposal submitted by Foster Engineering, they do have some experience in working at the Lake reservoir.

Cmr. Sciaraffa stated that he would support and concur with the rest of the court on this matter.

Item No. 58      Discussion and possible action to approve the request for qualifications for a Human Resource Director.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that they did not include a section regarding experience in the proposed RFQ submitted to the court. He requested authority to add five years minimum experience in the field of Human Resources.

Cmr. Garza motioned to include five years experience in the field of Human Resources to the RFQ. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 59      Discussion and possible action to purchase educational products for the Head Start program from National Educational Systems, Inc. in the amount of \$15,813.38. [Account #903-4208-6069]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 60      Discussion and possible action to authorize the purchasing agent to activate cellular services for Justice of the Peace Alfredo Garcia, Pct. 3 and Constable Annette Munoz, Pct. 3 from Cingular wireless in the amount of \$65.59 each through the Texas Department Information Resources Contract no. Tele-06-27-03/Texan2000-cing-w Account no. 001-0109-6004 telephone account.

Mr. Eloy Ramirez, Purchasing Agent, stated that the item should show that this is for Precinct 2, not Precinct 3. He stated that the county has a cellular phone contract with Verizon but that Judge Garcia and Constable Munoz are unable to get any service in their areas since there are no Verizon towers in the area. He stated that he received a quote from Cingular Wireless through the Texas Department Information Resources Contract which fulfills the requirements of the competitive bid statute. He stated that the contracts come with 1,350 minutes, which was the closest he could get to the 1,500 minutes allotted to elected officials.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 61      Discussion and possible action to fill slot #1376 Office Manager.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 64      Adjournment

Cmr. Cortez-Brunner motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.